

SENATE BILL No. 136

DIGEST OF INTRODUCED BILL

Citations Affected: IC 5-22-23.

Synopsis: Telephone calling system for confined offenders. Establishes identical requirements for a solicitation for a telephone calling system provided to a confined offender in: (1) a community corrections facility; (2) a juvenile detention facility; (3) a juvenile detention center; (4) a county jail located in a county with a population greater than or equal to 75,000; and (5) a department of correction facility.

Effective: Upon passage.

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January 7, 2002, read first time and referred to Committee on Corrections, Criminal and Civil Procedures.

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Second Regular Session 112th General Assembly (2002)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2001 General Assembly.

SENATE BILL No. 136

A BILL FOR AN ACT to amend the Indiana Code concerning state and local administration.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 5-22-23 IS ADDED TO THE INDIANA CODE AS
2 A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE UPON
3 PASSAGE]:

4 **Chapter 23. Telephone Calling Systems for Confined Offenders**

5 **Sec. 1. For purposes of this chapter, "confined" has the meaning**
6 **set forth in IC 11-8-1-6.**

7 **Sec. 2. For purposes of this chapter, "offender" has the meaning**
8 **set forth in IC 11-8-1-9.**

9 **Sec. 3. For purposes of this chapter, "system" means a**
10 **telephone calling system (including local, intralata, interlata, and**
11 **interstate long distance services) for confined offenders.**

12 **Sec. 4. (a) This section applies to a solicitation for a system by**
13 **the Indiana department of administration.**

14 **(b) Notwithstanding any other law, the solicitation must include**
15 **a statement concerning the following:**

16 **(1) Any security and fraud control services considered**
17 **necessary by the Indiana department of administration,**



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including the use of collect calling services as the sole means of confined offender communications with the general population.

(2) The goal of reducing the total cost of a telephone call placed by a confined offender by soliciting competitive proposals that emphasize lower:

- (A) per call service charges;
- (B) per minute rates; and
- (C) commission rates.

Sec. 5. (a) This section applies to a purchasing agent for the following:

- (1) A community corrections advisory board.
- (2) A juvenile detention center.
- (3) A juvenile detention facility.
- (4) A county jail located in a county with a population of at least seventy-five thousand (75,000).

This section does not apply to a purchasing agent for a county jail located in a county with a population less than seventy-five thousand (75,000).

(b) Notwithstanding any other law, a solicitation by a purchasing agent:

(1) must include any security and fraud control services considered necessary by the purchasing agency, including the use of collect calling services as the sole means of confined offender communications with the general population; and

(2) may not solicit:

- (A) a per call service charge;
- (B) a per minute rate; or
- (C) a commission rate;

that exceeds the terms of a contract between the state and a telecommunications provider under the most recent solicitation submitted by the Indiana department of administration under this article.

SECTION 2. [EFFECTIVE UPON PASSAGE] IC 5-22-23, as added by this act, does not apply to solicitations for telephone calling systems (including local, interlata, intralata, and interstate long distance services) for confined offenders made before the effective date of this act.

SECTION 3. An emergency is declared for this act.



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